

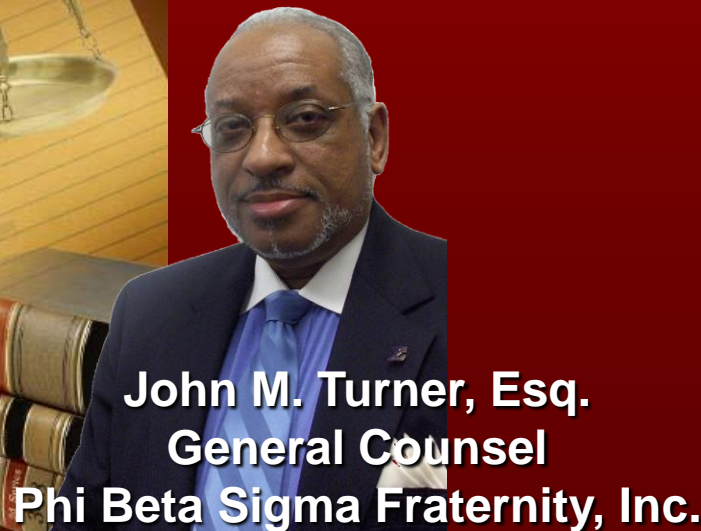
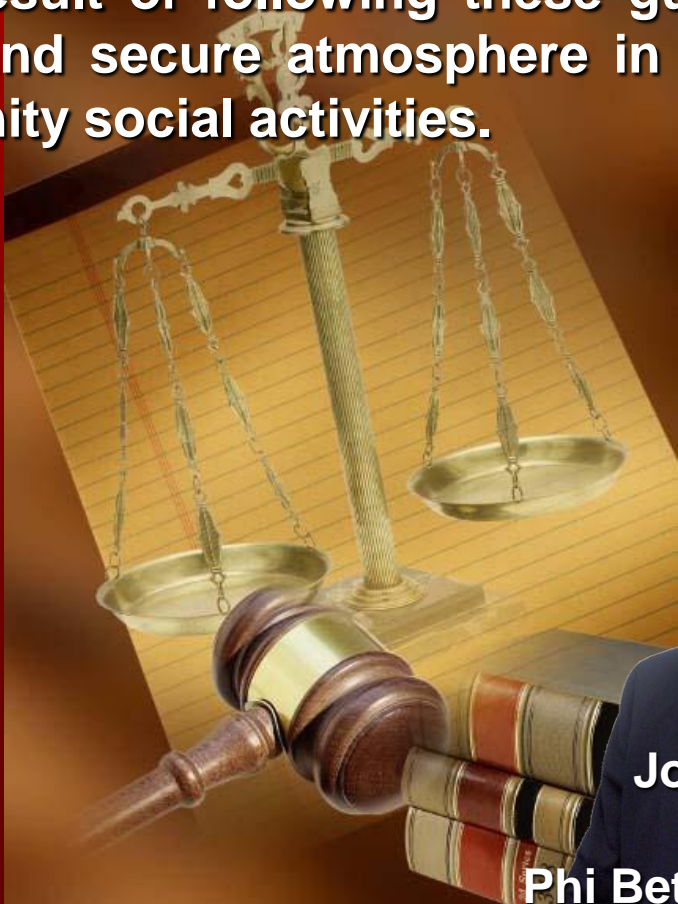
risks management solutions

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Legal liability for fraternity activities such as social events and parties must be carefully considered and risk managed. The International Headquarters, local chapters, and individual brothers may be held legally and financially responsible for personal injuries or property damage arising from fraternity sponsored social events and parties. To avoid and prevent this liability, the General Board of Phi Beta Sigma Fraternity, Inc. has implemented guidelines to identify the risks, reduce the risks, and eliminate the risks involved in planning and conducting social events and parties. It is imperative that these guidelines must be observed and followed. The result of following these guidelines will be a safe and secure atmosphere in which to conduct fraternity social activities.



**John M. Turner, Esq.
General Counsel**

Phi Beta Sigma Fraternity, Inc.



RISK MANAGEMENT POLICES OF PHI BETA SIGMA ALCOHOL AND DRUGS

1. The possession, use and/or consumption of any alcoholic beverages by any Fraternity member or guest while on chapter premises, during chapter activities, or in any situation sponsored or endorsed by the chapter, *must* be in compliance with the laws and ordinances of the state, province, city, county, and university/college.
2. The sale of alcoholic beverages by any undergraduate chapter of Phi Beta Sigma is strictly forbidden. No undergraduate chapter of Phi Beta Sigma shall participate in any activity or action which creates the impression that the chapter is selling alcohol. Examples include, but are not limited to: selling drink tickets, or having vending machines dispense alcoholic beverages.
3. No alcoholic beverages may be purchased through chapter funds nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name of, or on behalf of, the chapter. The purchase or use of a bulk quantity of common sources of such alcoholic beverage, e.g. kegs or cases, is prohibited.



RISK MANAGEMENT POLICES OF PHI BETA SIGMA ALCOHOL AND DRUGS

4. The use or possession of any unlawful drug in any form is not permitted at any Phi Beta Sigma function or in any Phi Beta Sigma chapter house.
5. Parties and social activities should be open to members and *invited guests only*. Open parties, meaning those with unrestricted access by non-members of the Fraternity, without specific invitation, are prohibited.
6. All undergraduate/graduate informational meetings sponsored by Phi Beta Sigma will be "dry," that is, without the presence of alcoholic beverages.
7. Alcoholic beverages are prohibited at any orientation program or initiation ceremony of the chapter.
8. No chapter may co-sponsor an event with an alcohol distributor, charitable organization or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) where alcohol is given away, sold or otherwise provided to those present.



RISK MANAGEMENT POLICES OF PHI BETA SIGMA ALCOHOL AND DRUGS

9. No chapter may co-sponsor or co-finance a function where alcohol is purchased by any of the host chapters, groups or organizations.
10. Chapters are strongly encouraged to conduct alcohol and drug awareness programs for members.
11. Sexual insult and intimidation of women is reprehensible and unworthy of a Phi Beta Sigma man.
12. The members of Phi Beta Sigma recognize the dignity and respect due all human beings, male and female, and the respect due all interactions practiced between men and women including social and sexual relations;
13. All members of Phi Beta Sigma display their acceptance of the aforementioned principles through the example of their behavior and pass them onto the future generations of the Fraternity in the company of our many proud traditions, for the good of the Fraternity.

HOSTING A SUCCESSFUL FUNCTION WITHIN RISK MANAGEMENT GUIDELINES

The following suggestions will help you plan and host an event within the Phi Beta Sigma risk management manual. Keep in mind that all chapter activities must be in accordance with all federal, state, local and university/college laws and regulations.

- 1. PLAN AND ORGANIZE THE FUNCTION WELL IN ADVANCE.**
 - A. Establish starting and ending times for functions. Be sure to follow the established time constraints for all functions.
 - B. Prepare the guest list well in advance.
 - C. Appoint all brothers who will be responsible for set up, clean up, and monitoring well in advance.
 - D. Make sure that you have submitted the Event Information Data Form.
- 2. NOT ALLOW COMMON SOURCE CONTAINERS.**
 - A. No kegs, pony kegs, party balls or alcoholic punches of any kind, even if supplied by individuals.
 - B. Do not allow open access to individual cans, bottles or mixed drinks of alcohol
- 3. DO NOT SELL ALCOHOL UNDER ANY CIRCUMSTANCES.**
 - A. Charging admission for a cup, or the band, or for entrance at an event at which alcohol is being consumed will be used by a plaintiff as evidence that alcohol was sold.

4. THE FUNCTION MUST BE CLOSED.

- A. Limit the number of guests.
- B. Prepare the guest list well in advance of the function and do not permit a person to enter the function if he/she is not on the list.
- C. Use written invitations.
- D. Do not permit those who leave to re-enter the social event.

5. CHECK I.D. AT THE DOOR.

- A. Identify those of legal age with a wrist band or by stamping hands with ink.
- B. Hire bonded security guards or off-duty police officers to assist you at the point of entry.

6. THE FUNCTION MUST BE MONITORED.

- A. Appoint a team of members who agree to patrol the function.
- B. Hire bonded security guards or off-duty police officers to assist you with crowd control.

7. PROVIDE FOOD AND ALTERNATIVE BEVERAGES.

- A. Avoid salty foods. Serve foods high in protein such as cheese and vegetables.
- B. Keep non-alcoholic alternatives such as juice and soft drinks separate from mixers.

8. PROVIDE FOOD AND ALTERNATIVE BEVERAGES.

If despite your pleas, a person becomes intoxicated:

- A. Do not allow any intoxicated person(s) to be alone.
- B. Do not hesitate to call for medical assistance.
- C. Provide a professional taxi service for members and guests.

9. SET A THEME OR ACTIVITY.

- A. Themes and activities should be in good taste and should not be related to alcohol. Food and decorations may relate to a theme or activity.
- B. Do not permit, tolerate, encourage or participate in drinking games.

10. MAKE SURE THE FUNCTION IS HELD AT A SAFE PLACE.

- A. Are there any fire hazards or unsafe conditions which may cause problems?
- B. Are the exits and fire extinguishers easily accessible in the event of any emergency?
- C. Is the parking lot accessible for an ambulance, police vehicle, or fire truck?
- D. How quickly could you get help (medical, fire, police)?

11. DO NOT HOST A FUNCTION AT A BAR.

- A. Any establishment that makes more than half its revenue from the sale of alcohol is considered a bar.

12. DO NOT HOST OR ATTEND A FUNCTION WHERE ALCOHOL IS PROVIDED BY ANY OF THE CO-HOSTS.

13. A LICENSED, PROFESSIONAL CATERER MAY BE HIRED TO SERVE ALCOHOL.

- A. Chapter funds may not be used to defray the cost of or to pay for alcohol.
- B. Ask for a certificate of general liability insurance and ensure that the caterer carries sufficient amounts of insurance.

C. Obtain an endorsement from the caterer naming the chapter, the International Headquarters of Phi Beta Sigma Fraternity, Inc., as additional insured.

D. A third party vendor or caterer does not assume all liability for an event. Continue to use risk management practices in conjunction with the vendor.

GUIDELINES FOR THE USE OF THIRD PARTY CATERERS

The following guidelines are to assist chapters in planning an event where a caterer or other licensed vendor will distribute alcoholic beverages. It is best to utilize such vendors at a hotel or rented facility.

1. The caterer must be properly licensed by the state and local authorities. This may involve both a liquor license and a temporary license to sell on the premises where and when the function is to occur.
2. The caterer must be insured with a minimum of \$1000,000.00 of general liability insurance, evidenced by a properly completed certificate of insurance prepared by the insurance provider. The above "certificate of insurance" must also show evidence that the vendor has, a part of his insurance coverage, "off-premise liquor liability coverage and non-owned and hired auto coverage."
3. The local chapter and the National Fraternity of Phi Beta Sigma Fraternity, Inc. must be named as additional insured on the vendor's certificate of insurance.
4. The caterer must agree, in writing, to cash sales only to be collected by the caterer during the function.

GUIDELINES FOR THE USE OF THIRD PARTY CATERERS CONT.

5. The caterer must agree, in writing, to assume all responsibilities that any other purveyor of alcoholic beverages would assume in the normal course of business, including but not limited to:
 - A) Check 10 upon entry.
 - B) Not serving to minors.
 - C) Not serving to individuals who appear intoxicated.
 - D) Maintaining control of all alcohol containers.
 - E) Collecting all alcohol remaining at the end of the function.
 - F) Removing all remaining alcohol after the function.

Third party vendors may not encourage the consumption of alcohol through drink specials or other promotion, nor should third party vendors serve shots of hard liquor.

The chapter may not purchase or provide alcohol, including any payment to lower the per drink price. The vendor should agree to sell alcohol at a reasonable per drink rate. Set up charges are appropriate as long as the chapter is not charged for alcohol. Continue to use all risk management practices and procedures.

THEME PARTIES

At many chapters over the years these events have provided memorable experiences for brothers and guests. Unfortunately, theme party activities have also generated injuries, alcohol misuse, and financial and behavioral excesses.

THE "THEME"

In today's society we must be sensitive to all people, races, religions, nationalities, and groups. If the theme of a social event reflects, in any negative way upon others or if it could be so construed, discard the theme and find another. Be particularly careful that your favors, shirts, slogans, and actions are not or could not be construed as sexist, racist or bigoted. As a National Fraternity, we cannot tolerate insensitivity to others, regardless of the intent of the action or the number of persons it affects. Failure to be sensitive to others almost always results in sanctions and probation.

ELIMINATING THE OPPORTUNITIES FOR INJURY

- 1) Some chapters build or erect structures for an event. Chapters are strongly advised not to build ponds or pools. There have been a number of serious injuries from people diving into ponds or pools. Even if there is no means of diving into a pond, the temptation is strong for people to throw others into it.
- 2) Chapters are strongly advised not to build towers, slides, rope bridges, or other structures. Anything chapter members build upon which people will sit, climb, swing, or walk presents the potential for injury. Leave construction to those who are licensed to do that type of work.
- 3) Fire safety – Refrain from using bamboo, straw, or torches to decorate. These decorations can create fire hazards.

- 4) Transportation -- If a number of people are to be moved to a location away from the chapter house/campus, the safest means is a hired bus and driver. Do not transport people in the bed of a pickup truck or the back of a rental truck.

ELIMINATING PUBLIC RELATIONS PROBLEMS

1. Theft of props or property -- Some chapters have prepared for a theme party by telling members to obtain decorations by theft. This includes flowers, signs, plants, and Christmas trees. It has happened. It is illegal.
2. Delivering invitations -- Some chapters deliver invitations to dates at their campus residences. They should not enter the house or dorm, and this activity should be conducted with proper sensitivity to others.
3. Noise -- This is a potential problem at any social event which includes music. Many cities are not implementing and enforcing noise ordinances. Most police will respond promptly to noise complaints. The chapter should contact neighbors prior to the party and ask that if noise becomes a problem, they contact the chapter president or other designated persons. Give neighbors the names and telephone numbers of all officers.
4. Clean up -- The chapter should have a plan for limiting litter and for prompt clean up after the party.

OFF CAMPUS AND "UNOFFICIAL" CHAPTER SOCIAL EVENTS

Some members incorrectly believe social events held off campus or away from campus are not subject to risk management guidelines. Likewise, they believe that there is little or no risk exposure from "unofficial" events held at the residence of a member, friend or other location.

An off campus or "unofficial" event may be subject to risk management and standards guidelines if any of the following conditions exist:

1. The chapter pays for any part of the event or participates in the planning or organization of the event This could include purchasing beverages, food, entertainment, the room or hall rental, clean up or anything else associated with the event.
2. A chapter officer, officers or social chairman plans the event
3. The chapter advertises the event by producing flyers, posters, or maps of the location of the event, general "invitations," or by distributing handouts or posting notices. This may" also include announcements at chapter meetings of the chapter or other fraternities or sororities or telephone invitations.
4. A large percentage of the members of the chapter are present.
5. The event takes the place of a normally scheduled event. (For example: a social planned for 9:00 PM is not attended because everyone is at a member's apartment or campus.)

OFF CAMPUS AND "UNOFFICIAL" CHAPTER SOCIAL EVENTS CONT.

Chapters may be disciplined for incidents of any kind that violate the spirit as well as the letter of Phi Beta Sigma Fraternity, Inc. risk management policies. If you have any questions concerning the status of a social event, please contact the International Headquarters or Greek Advisor on your campus or your Regional Director.

Please understand that an attorney for an injured person will make every effort to demonstrate in court that an event was a chapter function. Why? In order to enhance the possibility of having the chapter held accountable, and this tapping into the liability policy for the chapter, and the assets of the chapter (the house or monies available), **and more important the National Fraternity.**

If, for example, two seniors hold an event in their off-campus apartment, this may become a Phi Beta Sigma event. They will invite their friends many of whom are members. Once we have more than a half-dozen members, it may become a "Phi Beta Sigma event". Other factors: was the event announced at a chapter meeting? Was it publicized in the campus newsletter with a flyer or poster on the campus bulletin board? Were officers present during the announcement? Were any of the officers present at the event? Were candidates for membership present at the event, or encourage to attend?

Any, some, or all of these factors can serve as a basis for naming the chapter or National Fraternity as a defendant in a lawsuit.

OFF CAMPUS AND "UNOFFICIAL" CHAPTER SOCIAL EVENTS CONT.

Some chapters have done an excellent job in planning and controlling theme parties.

1. Planning and control - Should be used in planning the party.
2. Alcohol -- The fraternity's Position Statement as it relates to alcohol should be followed.
3. Expense -- Is the expense, both in money and in preparation time, excessive? Could some of that money be saved or some of the time and energy be used in more productive activities? In many cases, the answer to these questions is "yes."

SPECIAL EVENTS

In addition to regular social functions, many chapters often conduct or sponsor Special Events involving large numbers of people. These might be a fund raising projects for a charity, or alumni events such as Homecoming.

Precautions should be taken for:

1. Traffic control
2. Crowd control
3. Safety of the facility being used, including fire safety.
4. Safety of any activities or games in which attendees might participate.

OFF CAMPUS AND "UNOFFICIAL" CHAPTER SOCIAL EVENTS CONT.

Also, if an event is held away from campus chapter house, any contracts signed with the property owner should be reviewed by the Regional Legal Counsel for the chapter. The Executive Director is knowledgeable of hotel arrangement and contracts. Please feel free to contact him prior to signing of contract.

ALUMNI EVENTS

Your chapter will be able to host more successful alumni events if they are planned in association with your alumni objectives. Be sure the officers are familiar with the policies and procedures of this manual when planning the event. This will help to eliminate any confusion. Additionally, you will want to ensure that the appropriate alumni members will help to explain and enforce these guidelines with other alumni members.

The alumni brothers who attend your function or other event will most likely be above the legal drinking age. Nonetheless, all of the procedures regarding consumption of alcohol and concern for your guests still apply.

If you become concerned about an alumni who has had too much to drink, seek the help of other alumni in seeing that this brother does not injure himself or other guests.

PHI BETA SIGMA FRATERNITY

SPECIAL EVENT CHECKLIST

PLEASE TYPE OR PRINT LEGIBLY

Chapter Name: _____ Chapter Number: _____ Graduate / Undergrad
Purpose of Event: _____ Location of Event: _____
Date(s): _____ Location Address: _____

City State Zip

EVENT ACTIVITIES

Type of event and details: _____

Athletic Event? Yes No If yes, waivers are needed for each participant.

ADMINISTRATION

1. Event Chairman: Name: _____ Phone #: _____
2. Is there a co-sponsor? Yes No If Yes, who? _____
3. Is a sorority involved in planning or working the event? Yes No If Yes, name of sorority and person in charge. _____
Does the sorority have insurance? Yes No
4. Planned Attendance: _____
5. Estimated Attendance: _____
6. Will there be a special construction, alterations or decorations for this event? Yes No
If yes explain: _____
7. Has this event been held in the past? Yes No How many times? _____
8. Have there been any previous claims? Yes No If so, explain in detail what changes you have made to prevent additional claims: _____

9. Will alcohol beverages be permitted? Yes No If yes, refer to "Alcohol" section.



10. Who is responsible for security? _____

11. Are Certificates of Insurance obtained from vendors?*

- | | | | |
|----|------------------------|-----|----|
| A. | Liquor Legal Liability | Yes | No |
| B. | General Liability | Yes | No |

12. Has vendor(s) provided proof of liquor license and temporary license to see on premises?*

Yes No

13. Is the fraternity named as an additional insured on all certificates from vendors?*

Yes No

14. Have applicable permits and permission been obtained from authorities:

- | | | | |
|----|--------------------|-----|----|
| A. | College/University | Yes | No |
| B. | Fund Raiser | Yes | No |

15. Has any written contract or agreement been signed for any part of this special event?*

Yes No

16. Have you received any correspondence requesting proof of insurance for the event?*

Yes No

***NOTE :** If yes is answered to questions 11, 12, 13, 15 or 16 a copy must be submitted with this form!

ADDITIONAL INSUREDS

1. Name, Address, city, state and zip code of any Additional Insured to be added to the National policy: _____

2. Reason for adding Additional Insured: _____

NOTE: If event requires additional insured Additional Insured Request Form must also be completed.

SECURITY

1. Type of security consists of: (If combination, please select which two make up the combination)

Public Police Private Police Combination Paid

2. Is there a security guard? Yes No

3. Does security guard check for weapons? Yes No

4. Are security personnel trained on enforcing illegal drug use? Yes No

5. Are monitors and security personnel trained on preventing disorderly conduct or hazing? Yes No



6. Are members or guest hand stamped if they want to leave and return to party?	Yes	No
7. Is smoking permitted at event?	Yes	No
8. If yes, is there a designated smoking area?	Yes	No
9. Has event facility been inspected to ensure that it complies with applicable federal, state and local safety and fire codes?	Yes	No
10. Are guests and members informed of emergency evacuation routes?	Yes	No
11. Is there one well lit entrance that is controlled and monitored?	Yes	No
12. Are security personnel and/or monitors trained on preventing sexual abuse and harassment?	Yes	No

ALCOHOL

1. Are security personnel, monitors, bar workers and/or vendors trained on how to deal with intoxicated guests and members?	Yes	No
2. Are wrist bands or other method provided for designating those who are not of legal drinking age?	Yes	No
3. Are all who are allowed to enter presenting I.D.?	Yes	No
4. Are those bringing alcoholic beverages given a punch card showing alcoholic quantity and type?	Yes	No
5. Will intoxicated guest or members be served alcohol by bar workers?	Yes	No
6. Is there only one centralized location where alcohol and food is being served?	Yes	No
7. Is there a guest and member list at the door?	Yes	No
8. Are food and alternative non-alcoholic beverages available visible and easily accessible?	Yes	No
9. Do you have a policy on confiscating keys from intoxicated guests?	Yes	No

YOU MUST STOP ALLOWING THE CONSUMPTION OF ALCOHOL AT LEAST ONE HOUR BEFORE EVENT ENDS.

TRANSPORTATION

1. Is transportation (taxi, Safe Rides etc) available for guests who need or request it?	Yes	No
--	-----	----



The undersigned have read and understand the requirements as outlined in this checklist;

*Chapter : _____ Signed: _____ Date _____

Chapter : _____ Signed: _____ Date _____

Chapter : _____ Signed: _____ Date _____

Chapter _____ Signed: _____ Date _____

*Event Chairman: _____ Signed: _____ Date _____

*Advisor (College Chapters): _____ Signed: _____ Date _____

* Required Signatures – Checklist will be returned and not processed if all required signatures are not listed.

DISCLAIMER

This questionnaire is being used to assist the chapter in having a safe event.

DID YOU REMEMBER TO?

- ✓ Get all required signatures
- ✓ Include all additional insured (Additional Insured line 1-2 and supplemental form p. 15) to be included on the policy (if applicable)
- ✓ Indicate how the certificate of insurance should be returned to the chairperson
- ✓ Present a complete and professional form

